

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BREANA SCHENK, as next best friend
to Ev M, Em M and El M and the
ESTATE OF KELSEY DELYAH
SCHENK-MCKEE,

Plaintiff,

v.

No. 1:22-cv-01268-STA-jay

PAUL A. THOMAS, GIBSON COUNTY
SHERIFF; and DANNY LEWIS, Chief
Deputy Gibson County Sheriff's
Department, and TAMELA DENISE COX,
Chief Jailor/Correction officer of the
Gibson County Sheriff's Department, and
WILLIAM HOLBROOK, Deputy/
Correction Officer, and JAILER PRINCE,
JAILER LITTRELL, JAILER HILL,
JAILER MORGAN, JAILER
STURDIVANT, JAILER WATSON,
JAILER GILLES, JAILER MEESE,
JAILER MCCARTY, JAILER
YARBROUGH, JAILER KEEL
JAILER PALMER, JAILER DANCE
JAILER ABRAHAM, JAILER MCMINN
JAILER BAILEY and GIBSON COUNTY,
TENNESSEE,

Defendants.

PARTIAL MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT

Defendants Gibson County, Tennessee, Sheriff Paul A. Thomas, Danny Lewis, Tamela Cox, William Holbrook, William Morgan, Beletha Yarbrough, Cordale Dance, Michael McMinn, Eric Bailey, Brandy Hill, and Robin Meese, by and through undersigned counsel, respectfully move this Court to dismiss (1) all of Plaintiff's claims against Defendants Gibson County, Tennessee, Sheriff Paul A. Thomas, Danny Lewis, Tamela Cox, William Holbrook, William

Morgan, Beletha Yarbrough, Cordale Dance, Michael McMinn, Eric Bailey, and Brandy Hill, (2) all “individual” claims and claims for injunctive relief brought by Plaintiff, and (3) the official-capacity claims brought against Defendant Robin Meese pursuant to Rule 12(b)(6) of the FEDERAL RULES OF CIVIL PROCEDURE. In support thereof, Defendants rely upon their Memorandum of Law in Support of Defendants’ Partial Motion to Dismiss.

Respectfully submitted,

PENTECOST, GLENN & TILLY, PLLC

By: s/Nathan D. Tilly
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via US District Court ECF system and/or U.S. Mail postage prepaid upon:

Robert T. Keeton, III
KEETON LAW OFFICES
20240 East Main Street
P.O. Box 647
Huntingdon, TN 38344

DATE: On this the 1st day of May, 2023.

PENTECOST, GLENN & TILLY, PLLC

By: s/Nathan D. Tilly
Nathan D. Tilly